

*Application No. 09/916,364
Amendment dated October 15, 2004
Reply to Office Action of August 25, 2004*

*Docket No. 4450-0411P
Art Unit: 2839
Page 9 of 15*

REMARKS

The Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-20 are pending. Claims 1, 5, 8, 10, and 14 are independent. Claims 1, 2, 6, 10, and 14 are amended, and claims 17-20 are added. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Examiner Interview

Applicant wishes to thank the Examiner for the courtesies extended to Applicant's representative Carl T. Thomsen, Registration No. 50786, during the personal interview which was conducted on October 13, 1004. An Examiner Interview Summary was made of record as Paper No. 10132004. During the interview, Applicant's representative discussed the combination of elements set forth in the claims of the present invention. Also, proposed changes to the claims were discussed in an attempt to overcome the prior art rejections of record. The claims have been amended in the manner discussed during the interview, and are believed to place the application into condition for allowance. Accordingly, reconsideration and allowance of the present application are respectfully requested.

If further issues arise during the examination of this Amendment, the Applicant respectfully requests that the Examiner contact Applicant's representative, Carl T. Thomsen, Registration No. 50,786, at 703-208-4030, to discuss the arguments and amendments set forth herein.

Application No. 09/916,364
Amendment dated October 15, 2004
Reply to Office Action of August 25, 2004

Docket No. 4450-0411P
Art Unit: 2839
Page 10 of 15

Allowable Subject Matter

The Examiner states that claims 5-7 are allowed.

Rejection Under 35 U.S.C. §103(a)

Claims 1-4, 8-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Stockman et al. (U.S. 5,774,617). This rejection is respectfully traversed.

Independent Claim 1

While not conceding the appropriateness of the Examiner's rejection, but merely to advance the prosecution of the present application, independent claim 1 is amended herein to recite a combination of element directed to an insert removably provided within a fiber optic cable management tool having at least one arcuate portion, including

at least one curved member having a curved portion;

the at least one curved member of the insert facing the at least one arcuate portion of the fiber optic cable management tool when the insert is provided within the fiber optic cable management tool, thereby forming a channel having two sides along a length thereof, one side being the at least one arcuate portion of the fiber optic cable management tool and an opposite side being the at least one curved member of the insert.

By contrast, as can be seen in Stockman et al. FIG. 6, this document merely discloses modules A, B, and C connected serially, such that internal components of each module form faces each other to form the sides of the channel.

*Application No. 09/916,364
Amendment dated October 15, 2004
Reply to Office Action of August 25, 2004*

*Docket No. 4450-0411P
Art Unit: 2839
Page 11 of 15*

Nowhere is there any suggestion of the at least one curved member of the insert facing the at least one arcuate portion of the fiber optic cable management tool when the insert is provided within the fiber optic cable management tool, thereby forming a channel having two sides along a length thereof, as set forth in claim 1, as amended herein.

At least for the reasons set forth above, the Applicant respectfully submits that the rejection of claim 1 under 35 U.S.C. 103(a) based on Stockman et al. is improper.

Independent claim 1 is believed to be in condition for allowance.

Independent Claim 8

While not conceding the appropriateness of the Examiner's rejection, but merely to advance the prosecution of the present application, independent claim 8 is amended herein to recite a combination of element directed to a fiber optic cable guiding insert, including

at least one curved member having first, second, and third curved portions, and a flange at a distal end of the first and the second curved portions, the first, second, and third curved portions having radii that exceed a minimum bend radius of a fiber optic cable to be guided by the insert, wherein at least two of the curved portions are concave-shaped and are joined at the flange.

By contrast, as can be seen in Stockman et al. FIG. 7, nowhere is there any suggestion of at least two of the curved portions are concave-shaped and are joined at the flange at a distal end of the first and the second curved portions, as set forth in claim 1, as amended herein.

*Application No. 09/916,364
Amendment dated October 15, 2004
Reply to Office Action of August 25, 2004*

*Docket No. 4450-0411P
Art Unit: 2839
Page 12 of 15*

At least for the reasons set forth above, the Applicant respectfully submits that the rejection of claim 8 under 35 U.S.C. 103(a) based on Stockman et al. is improper.

Independent claim 8 is believed to be in condition for allowance.

Independent Claim 10

While not conceding the appropriateness of the Examiner's rejection, but merely to advance the prosecution of the present application, independent claim 10 is amended herein to recite a combination of element directed to a fiber optic cable management system, including

at least one fiber optic cable management tool having a base portion, a first arcuate portion and a second arcuate portion disposed on the base portion, and a protruding member extending from the base portion to permit manual grasping of said at least one fiber optic cable management tool; and

at least one insert removably provided between the first and the second arcuate portions of said at least one fiber optic cable management tool and having at least one curved member having a curved portion; and

a channel formed between the first arcuate portion of said at least one fiber optic cable management tool and the at least one curved member of the insert,

By contrast, as can be seen in Stockman et al. FIG. 6, this document merely discloses modules A, B, and C connected serially, such that internal components of each module form faces each other to form the sides of the channel. Nowhere is there any suggestion in

*Application No. 09/916,364
Amendment dated October 15, 2004
Reply to Office Action of August 25, 2004*

*Docket No. 4450-0411P
Art Unit: 2839
Page 13 of 15*

Stockman et al., for example, of at least one insert removably provided between the first and the second arcuate portions of said at least one fiber optic cable management tool and having at least one curved member having a curved portion, as set forth in independent claim 10, as amended herein.

At least for the reasons set forth above, the Applicant respectfully submits that the rejection of claim 10 under 35 U.S.C. 103(a) based on Stockman et al. is improper.

Independent claim 10 is believed to be in condition for allowance.

Independent Claim 14

While not conceding the appropriateness of the Examiner's rejection, but merely to advance the prosecution of the present application, independent claim 8 is amended herein to recite a combination of steps directed to a method of reducing a width of a channel provided in a fiber optic cable management tool, including

providing the fiber optic cable management tool having a channel between a first arcuate portion and a second arcuate portion thereof;

providing an insert between the first arcuate portion and the second arcuate portion of the fiber optic cable management tool, the insert having at least one curved member which provides a second channel between the curved member of the insert and an arcuate portion of the fiber management tool, the second channel reducing the width of the channel provided in the fiber optic cable management tool, the second channel being a reduced-width channel

Application No. 09/916,364
Amendment dated October 15, 2004
Reply to Office Action of August 25, 2004

Docket No. 4450-0411P
Art Unit: 2839
Page 14 of 15

having a radius that exceeds the minimum bend radius of a fiber optic cable to be provided within the reduced-width channel.

By contrast, as can be seen in Stockman et al. FIG. 6, this document merely discloses modules A, B, and C connected serially, such that internal components of each module form faces each other to form the sides of the channel. Nowhere is there any suggestion in Stockman et al., for example, of providing the fiber optic cable management tool having a channel between a first arcuate portion and a second arcuate portion thereof, and providing an insert between the first arcuate portion and the second arcuate portion of the fiber optic cable management tool, as set forth in independent claim 14.

At least for the reasons set forth above, the Applicant respectfully submits that the rejection of claim 14 under 35 U.S.C. 103(a) based on Stockman et al. is improper.

Independent claim 14 is believed to be in condition for allowance.

In view of the arguments and amendments described above, independent claims 1, 8, 10, and 14 are in condition for allowance. Claims 5-7 have been allowed by the Examiner.

The Examiner will note that dependent claims 17-20 are added. All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel limitations set forth therein.

Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. §103(a) are respectfully requested.

All claims of the present invention are now in condition for allowance.

Application No. 09/916,364
Amendment dated October 15, 2004
Reply to Office Action of August 25, 2004

Docket No. 4450-0411P
Art Unit: 2839
Page 15 of 15

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.


If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


Michael R. Cammarata, #39,491

P.O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000

MRC/CTT/ags

Certificate of Transmission
I hereby Certify that this correspondence is being
facsimile transmitted to the Patent and
Trademark Office:

On

Date

Signature